

REMARKS

The present application was filed on August 7, 2001 with claims 1-49. Claims 1, 25 and 49 are independent. In the outstanding Office Action, the Examiner rejected claims 1-49. Applicants note that the Examiner fails to provide any basis for the rejection of claims 1-49 in the latest Office Action. Further, although the Examiner indicated that the claims included allowable subject matter in a telephone interview with Applicants' attorney on December 6, 2005, there is no indication of allowable subject matter in the latest Office Action.

With regard to the Declaration of Prior Invention filed on September 29, 2005, the Examiner contends that the previously submitted declarations are ineffective to overcome the Acharya reference. The Examiner further contends that Applicants have not specified the concepts which are claimed in the claims and have not provided a mapping between the inventive concepts in the Declaration and the exhibits.

The declaration provides a draft application sent by an inventor to the inventor's attorneys, on January 2, 2001, which describes an invention falling within independent claims 1, 25 and 49, as well as one or more dependent claims. This exhibit was provided as support for the assertion in paragraph 3 of the inventor declaration. Thus, Applicants assert, that it is not necessary for a declaration to specify concepts claimed in the claims or to provide a mapping between inventive concepts and the exhibits when a draft application having claims and figures is utilized to establish conception.

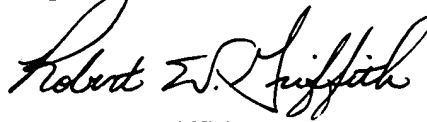
Previously, at the suggestion of the Examiner, Applicants' attorney contacted Examiner Pinchus Laufer to discuss any insufficiencies with regard to the Declaration. In the previous response Applicants submitted all additional material deemed necessary in accordance with the discussion with Examiner Laufer. Further, during the interview, Examiner Laufer admitted that the draft application of January 2, 2001 from the inventor declaration provides sufficient evidence to establish conception of the invention prior to the effective date of Acharya.

The inventor declaration, attorney affidavit and their corresponding exhibits evidence the conception of an invention falling within independent claims 1, 25 and 49 and one or more dependent claims, at least as early as January 2, 2001, and thus prior to the March 23, 2001 effective

date of Acharya. The inventor declaration, attorney affidavit and their corresponding exhibits further evidence due diligence in the preparation of a patent application from just prior to the March 23, 2001 effective date until the filing date of the U.S. patent application on August 7, 2001.

In view of the above, Applicants believe that claims 1-49 are in condition for allowance, and respectfully request withdrawal of the rejection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Griffith". The signature is fluid and cursive, with a large initial 'R'.

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